

FISH & RICHARDSON P.C.

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March 7, 2011

BY ECF FILING

The Hon. Leonard E. Davis
United States District Court
For the Eastern District of Texas, Tyler Division
William M Steger Federal Building
and United States Courthouse
211 W. Ferguson, Third Floor
Tyler, TX 75702



ATLANTA

BOSTON

DALLAS

DELAWARE

MUNICH

NEW YORK

SILICON VALLEY

SOUTHERN
CALIFORNIA

TWIN CITIES

WASHINGTON, DC

RE: PARALLEL NETWORKS, LLC v. ABERCROMBIE & FITCH CO. ET AL.
Civil Action No. 6:10-CV-111 (LED) (E.D. Tex.)
PARALLEL NETWORKS, LLC v. BENTLEY MOTORS INC. ET AL.
Civil Action No. 6:10-CV-112 (LED) (E.D. Tex.)
PARALLEL NETWORKS, LLC v. AEO, INC. ET AL.
Civil Action No. 6:10-CV-275 (LED) (E.D. Tex.)
PARALLEL NETWORKS, LLC v. ADIDAS AMERICA ET AL.
Civil Action No. 6:10-CV-491 (LED) (E.D. Tex.)

Your Honor:

I write on behalf of the 43 defendants (listed on attached Ex. A) represented by Fish & Richardson P.C. across the four lawsuits captioned above brought by Parallel Networks asserting U.S. Patent No. 6,446,111 ("the '111 patent").

At the March 1 status conference for the four cases captioned above, the Court directed that the Defendants respond to a proposal under which Plaintiff would be limited to asserting five claims of the '111 patent, and claim construction would be limited to five phrases from those claims, followed by a summary judgment/*Markman* process. Since the hearing, Defendants have reached out to the Plaintiff in the hope of securing agreement about the conduct of discovery, disclosures, and related matters under the "five for five" proposal. However, Plaintiff was not willing to make any commitments at this time.

While we are still working on it, we are unable to provide a uniform commitment to the proposal. We cannot emphasize enough, however, that our clients uniformly

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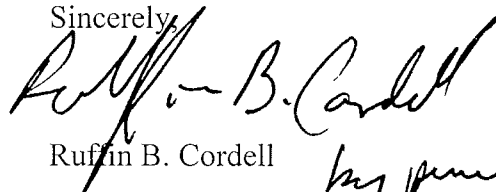
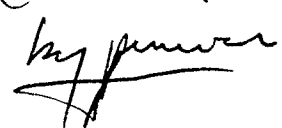
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remain concerned with the cost and unwieldiness created by Parallel's litigation strategy.

Our clients who agree with the proposal are ANDERSEN WINDOWS, INC., BARNES & NOBLE, INC., BARNESANDNOBLE.COM, LLC, BLOOMINGDALES, INC., BRAIN BUSTERS, LLC, BRAWN, LLC, CHICO'S RETAIL SERVICES, INC., CITIZEN WATCH OF AMERICA, INC., CONTINENTAL AIRLINES, INC., DILLARD'S, INC., FLAIRVIEW TRAVEL PTY LTD, FLIGHTBOOKERS LTD, THE GOODYEAR TIRE AND RUBBER CO., JONES RETAIL CORPORATION, IAC SEARCH & MEDIA, INC., KAYAK SOFTWARE CORP., MACY'S WEST, INC., MACYS.COM, INC., MITSUBISHI MOTORS NORTH AMERICA, INC., MUSICIANS FRIEND, INC., NETFLIX, INC., ORBITZ, LLC, ORBITZ AWAY, LLC, ORBITZ WORLDWIDE, INC., ORBITZ WORLDWIDE, LLC, SHOEBUY, INC., TIFFANY AND COMPANY, US AIRWAYS, INC., and SUNGLASS HUT TRADING, LLC.

Our clients who do not agree (at least for the moment, though additional information regarding the identity of the specific claims Parallel would assert, and the specific products Parallel would accuse) are AMAZON.COM, INC., ASICS AMERICA CORPORATION, CABELA'S, INC., DELTA AIR LINES, INC., GOOGLE INC., ICONIX BRAND GROUP, INC.; IP HOLDINGS, LLC, ONESTOP INTERNET, INC., TRIPADVISOR LLC, , SUBARU OF AMERICA, INC., TARGET CORP., WOLVERINE WORLD WIDE, INC., WOMEN'S APPAREL GROUP, LLC, and ZAPPOS RETAIL, INC.

Sincerely,


Ruffin B. Cordell 

cc: Counsel for all parties (by ECF)

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EXHIBIT A

-111 case

AMAZON.COM, INC.
IAC SEARCH & MEDIA, INC.
BRAIN BUSTERS, LLC
SHOEBUY, INC.
KAYAK SOFTWARE CORP.
NETFLIX, INC.
ORBITZ, LLC; ORBITZ AWAY, LLC; ORBITZ WORLDWIDE, INC.; ORBITZ
WORLDWIDE, LLC

-112 case

FLAIRVIEW TRAVEL PTY LTD; AND FLIGHTBOOKERS LTD.

-275 case

BARNES & NOBLE, INC.; BARNESANDNOBLE.COM, LLC
BRAWN, LLC
CABELA'S, INC.
CONTINENTAL AIRLINES, INC.
DELTA AIR LINES, INC.
GOOGLE, INC.
ICONIX BRAND GROUP, INC.
IP HOLDINGS, LLC
MUSICIANS FRIEND, INC.
ONESTOP INTERNET, INC.
TIFFANY AND COMPANY
TRIPADVISOR LLC
US AIRWAYS, INC.
TARGET CORPORATION;
ZAPPOS RETAIL, INC.

-491 case

ANDERSEN WINDOWS, INC.
ASICS AMERICA CORPORATION
CHICO'S RETAIL SERVICES, INC.
CITIZEN WATCH OF AMERICA, INC.
DILLARD'S, INC.
THE GOODYEAR TIRE AND RUBBER CO.
JONES RETAIL CORPORATION
MACY'S WEST, INC.; MACYS.COM, INC.; BLOOMINGDALES, INC.
MITSUBISHI MOTORS NORTH AMERICA, INC.

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SUBARU OF AMERICA, INC.
SUNGLASS HUT TRADING, LLC
WOLVERINE WORLD WIDE, INC.
WOMEN'S APPAREL GROUP LLC